



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 5, 2020

BY ECF

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

The hearing is adjourned until January 7, 2021 at 10 am. Time is excluded in the interest of justice.

So ordered,
/s/
Alvin K. Hellerstein
11/6/2020

Re: *United States v. David Hu*, 20 Cr. 360 (AKH)

Dear Judge Hellerstein:

The Government writes on behalf of both parties in the above-captioned matter in connection with the plea proceeding currently scheduled for November 12, 2020. The defendant, David Hu, requests that the plea proceeding be adjourned for approximately 60 days in hopes that appearing in person at that time will carry less risk of exposure to COVID-19. While the Government is prepared to proceed in person on the current schedule, the Government does not object to the defendant's request in light of the following understanding between the parties: The defendant and defense counsel have agreed that although there is a possibility that the COVID-19 risk will be at least the same in 60 days, the defendant will not seek a further adjournment of the plea date. The defendant further consents that if the plea cannot, for some reason, be conducted in person at that time, it can proceed remotely.

In addition, the Government respectfully requests, with the consent of the defendant, that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), from today through the date the Court sets for the plea proceeding, to allow the defendant to enter a plea. The Government respectfully submits that the ends of justice served by the granting of the requested

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continuance outweigh the best interests of the public and the defendant in a speedy trial.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: /s/
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cc: Counsel for David Hu (by ECF)